

LEGISLATURE OF NEBRASKA  
ONE HUNDRED FIRST LEGISLATURE  
FIRST SESSION  
**LEGISLATIVE BILL 222**

Introduced by Giese, 17.

Read first time January 13, 2009

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to learner's permits; to amend section  
2 60-4,123, Revised Statutes Cumulative Supplement, 2008;  
3 to restrict the issuance of such permits as prescribed;  
4 and to repeal the original section.  
5 Be it enacted by the people of the State of Nebraska,

1                   Section 1. Section 60-4,123, Revised Statutes Cumulative  
2 Supplement, 2008, is amended to read:

3                   60-4,123 (1) Any person who is at least fifteen years  
4 of age may apply for an LPD-learner's permit from the department.  
5 In order to obtain an LPD-learner's permit, the applicant shall  
6 successfully complete a written examination. A person may take  
7 the written examination beginning sixty days prior to his or her  
8 fifteenth birthday but shall not be issued a permit until he  
9 or she is fifteen years of age. The written examination may be  
10 waived for any person who has been issued an LPE-learner's permit,  
11 LPD-learner's permit, or SCP-school permit that has been expired  
12 for no more than one year.

13                   (2) Upon successful completion of the written examination  
14 and the payment of a fee and surcharge as prescribed in section  
15 60-4,115, the applicant shall be issued an LPD-learner's permit as  
16 provided in section 60-4,113. The permit shall be valid for twelve  
17 months.

18                   (3) (a) The holder of an LPD-learner's permit shall only  
19 operate a motor vehicle on the highways of this state if he or  
20 she is accompanied at all times by a licensed operator who is at  
21 least twenty-one years of age and who has been licensed by this  
22 state or another state and if he or she is actually occupying the  
23 seat beside the licensed operator or, in the case of a motorcycle  
24 or moped, if he or she is within visual contact of and under the  
25 supervision of, in the case of a motorcycle, a licensed motorcycle

1 operator or, in the case of a moped, a licensed motor vehicle  
2 operator.

3 (b) The holder of an LPD-learner's permit shall not  
4 use any type of interactive wireless communication device while  
5 operating a motor vehicle on the highways of this state.  
6 Enforcement of this subdivision shall be accomplished only as a  
7 secondary action when the holder of the LPD-learner's permit has  
8 been cited or charged with a violation of some other law.

9 (4) The county treasurer shall collect the fee and  
10 surcharge prescribed in section 60-4,115 for the issuance of each  
11 LPD-learner's permit.

12 (5) A person over eighteen years of age shall be issued  
13 an LPD-learner's permit only one time. The director may waive this  
14 restriction for good cause shown.

15 Sec. 2. Original section 60-4,123, Revised Statutes  
16 Cumulative Supplement, 2008, is repealed.